



S/N 09/422,202

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James D. Bennett et al.

Examiner: Hosuk Song

Serial No.: 09/422,202

Group Art Unit: 2135

Filed: October 19, 1999

Docket: 7962.006US1

Title: DOWN-LINE TRANSCRIPTION SYSTEM USING AUTOMATIC TRACKING
AND REVENUE COLLECTION

TERMINAL DISCLAIMER

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Eduardo E. Drake, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on April 23, 2007. I am making this petition on behalf of Engate LLC, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Engate LLC, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/422,202) and to U.S. Patent No. 5,970,141. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications.

The assignments for U.S. Patent No. 5,970,141 were recorded on December 8, 2006 on Reel 018612, Frames 0748-0752, and on January 3, 2007 on Reel 018702, Frames 0217-0227; with the United States Patent and Trademark Office.

The assignments for U.S. Serial No. 09/422,202 were recorded on December 8, 2006 on Reel 018602, Frames 0834-0838; and on January 3, 2007 on Reel 018702, Frames 0217-0227; and on April 20, 2007 on Reel 019196, Frames 0550-0554; with the United States Patent and Trademark Office.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Engate LLC, seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, U.S. Patent No. 5,970,141. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 5,970,141 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,970,141 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

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Fee Status

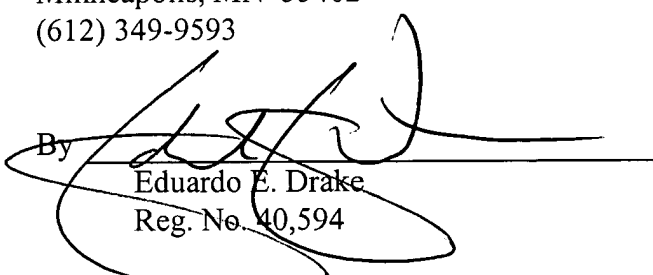
Please charge Deposit Account 19-0743 in the amount of \$130.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9593

Date 16 Jan 2008

By


Eduardo E. Drake
Reg. No. 40,594

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 16 day of January 2008.

Name

Eduardo E. Drake

Signature

